

**Notice of Allowability**

Application No.

10/581,469

Applicant(s)

MATSUI ET AL.

Examiner

Helene Klemanski

Art Unit

1755

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Preliminary Amendment filed October 2, 2006.
2. ☒ The allowed claim(s) is/are 1-16.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 8/29/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Helene Klemanski*  
HELENE KLEMANSKI  
PRIMARY EXAMINER  
GROUP 1100

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The references cited in the Search Report dated February 22, 2005 have been considered.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In claim 1, the first line after Formula (1), the left parenthesis has been deleted.

Also in claim 1, the ninth line after Formula (1), the left parenthesis has been deleted.

Lastly in claim 1, the last line, the two right parentheses have been deleted.

In claim 2, the first line after Formula (2), the left parenthesis has been deleted.

Also in claim 2, the last line, the right parenthesis has been deleted.

In claim 3, line 3, the term "R<sup>5</sup>" has been replaced with the term "R<sup>2</sup>" (see page 5 of the specification).

In claim 5, the first line after Formula (2'), the left parenthesis has been deleted.

Also in claim 5, the last line, the right parenthesis has been deleted.

In claim 7, the last line, a period has been inserted after the Formula (2-1).

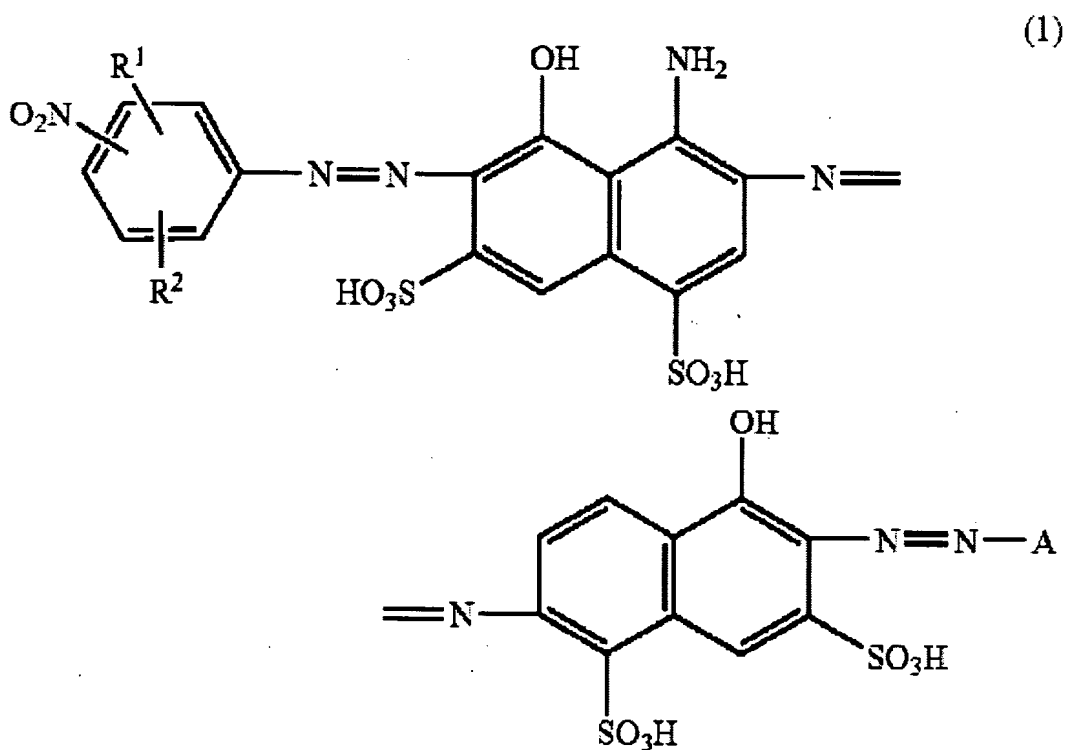
In claim 8, the first line after Formula (3), the left parenthesis has been deleted.

Also in claim 8, the last line, the right parenthesis has been deleted.

In claim 11, line 1, the term "using" has been replaced with the term "utilizing"  
(see MPEP 2173.05(q)).

### Reasons For Allowance

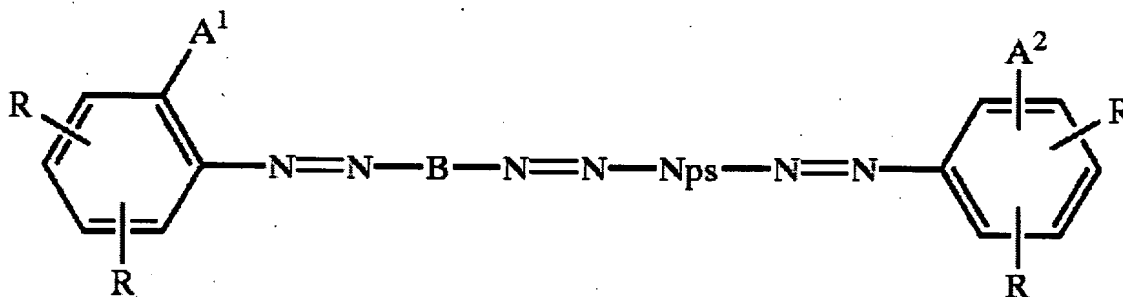
3. The following is an examiner's statement of reasons for allowance: This application teaches a trisazo compound of the Formula (1) or a salt thereof:



wherein each of R<sup>1</sup> and R<sup>2</sup> independently represents H, a halogen atom, a cyano group, a carboxyl group, a sulfo group, a sulfamoyl group, an N-alkylaminosulfonyl group, an N-phenylaminosulfonyl group, a phosphoric group, a nitro group, an acyl group, a ureide group, a (C1 to C4) alkyl group which may be substituted with a hydroxy group or a (C1

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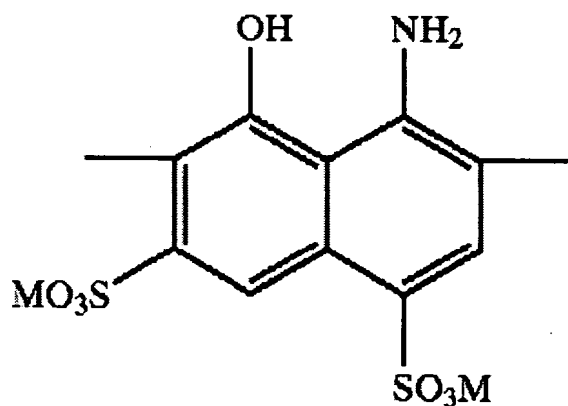
to C4) alkoxy group, a (C1 to C4) alkoxy group which may be substituted with a hydroxy group or a (C1 to C4) alkoxy group, a sulfo group, or a carboxyl group, or an acetylamino group; A represents a phenyl group or naphthyl group wherein these phenyl group or naphthyl group may be substituted with a halogen atom, a cyano group, a carboxyl group, a sulfo group, a sulfamoyl group which may be substituted with an alkyl group or a phenyl group, a phosphoric acid group, a nitro group, an acyl group, a ureide group, a (C1 to C4) alkyl group which may be substituted with a hydroxy group or a (C1 to C4) alkoxy group, a (C1 to C4) alkoxy group which may be substituted with a hydroxy group or a (C1 to C4) alkoxy group, a sulfo group, or a carboxyl group, or an acetylamino group and an ink composition comprising the above trisazo dye. The closest prior art of record is US Patent No. 6,632,932, issued to Sawatari et al., which teaches a trisazo compound of the formula



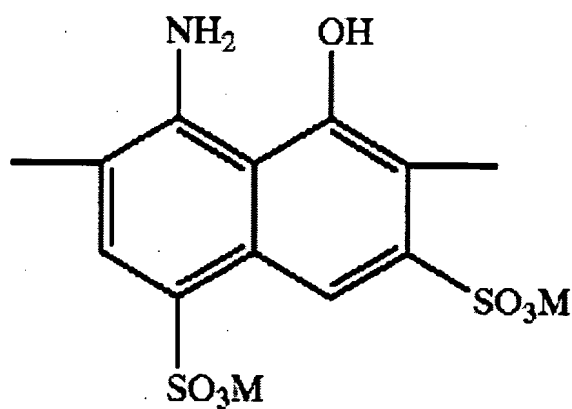
wherein A<sup>1</sup> is a group represented by the formula -COOM or -SO<sub>3</sub>M; A<sup>2</sup> is H or a group represented by the formula -COOM or -SO<sub>3</sub>M; M is each independently H, ammonium, alkali metal, hydroxyammonium, alkylammonium, or alkanolammonium; R is each independently H, C<sub>1-6</sub> alkyl group, C<sub>1-6</sub> alkoxy, a hydroxyl group, a sulfamoyl group, a

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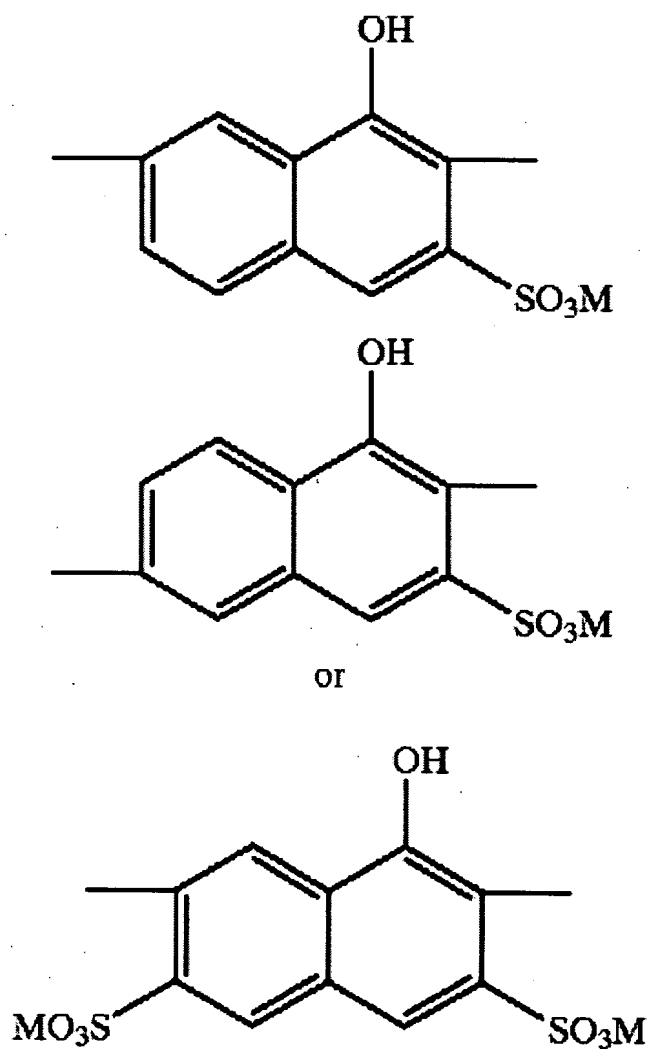
carbamoyl group, a cyano group, an acetyl group, a sulfonic acid group, a carboxyl group or a halogen atom; B is a group represented by the formula



or



wherein M is the same as defined above; Nps is a group represented by the formula



wherein M is the same as defined above and an ink composition containing the above trisazo dye but fail to teach or fairly suggest the use of an trisazo dye containing a nitro group on the phenyl group as claimed by applicants. Accordingly, this application is allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

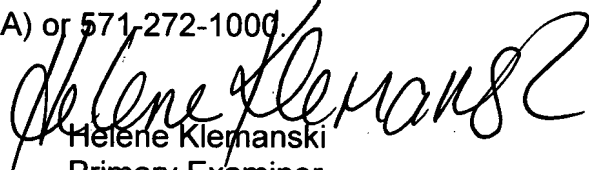
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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helene Klemanski whose telephone number is (571) 272-1370. The examiner can normally be reached on Monday-Friday 5:30-2:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry Lorengo can be reached on (571) 272-1233. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Helene Klemanski  
Primary Examiner  
Art Unit 1755



HK  
September 29, 2007